



*California Environmental Protection Agency  
Department of Toxic Substances Control*

**HAZARDOUS WASTE FACILITY  
POSTCLOSURE PERMIT**

Permit Number: 03-SAC-007

Facility Name:

IT Corporation – Panoche Facility  
2251 Lake Herman Road  
Benicia, California 94510

Owner Name:

IT Lake Herman LLC  
2251 Lake Herman Road  
Benicia, California 94510

Operator Name:

IT Corporation  
2251 Lake Herman Road  
Benicia, California 94510

Facility EPA ID No.: CAD000060012

Effective Date:

Expiration Date:

Permit Modification History: New Permit

Pursuant to section 25200 of the California Health and Safety Code, this Resource Conservation and Recovery Act (RCRA) equivalent Hazardous Waste Facility Postclosure Permit is hereby issued to the IT Corporation. Issuance of this Permit, which consists of 15 pages, is subject to all terms and conditions set forth herein.

NOT SIGNED - DRAFT

Chief, Land Disposal Branch  
Hazardous Waste Management Program

Date: \_\_\_\_\_

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## **PART I. DEFINITIONS**

All terms used in this Permit shall have the same meaning as those terms have in the California Health and Safety Code, Division 20, Chapter 6.5 and Title 22, California Code of Regulations, Division 4.5, unless expressly provided otherwise by this Permit.

1. “DTSC” as used in this Permit means the California Department of Toxic Substances Control.
2. “Permittee” as used in this Permit means the Owner and Operator.
3. “HSC” as used in this Permit means the Health and Safety Code.
4. “Cal. Code of Regs.” as used in this Permit means the California Code of Regulations.
5. “Approved Application” as used in this Permit means the Part A and Part B portions of the permit application described in Part III.1 of this Permit.
6. Unless explicitly stated otherwise, all references to items in this Permit shall refer only to items occurring within the same part.

## **PART II. DESCRIPTION OF THE FACILITY AND OWNERSHIP**

### **1. OWNER**

The Facility owner is IT Lake Herman LLC, 2251 Lake Herman Road, Benicia, California 94510 (hereafter “Owner”).

### **2. OPERATOR**

The Facility operator is IT Corporation, 2251 Lake Herman Road, Benicia, California 94510 (hereafter “Operator”).

### **3. LOCATION**

The IT Corporation Panoche Facility is located at 2251 Lake Herman Road, Benicia, California, about thirty miles northeast of San Francisco. The Facility is situated 1 mile west of Highway 680, Lopes Road and the Suisun Marsh, 2.5 miles east of the city limits of Vallejo and 3 miles north of central Benicia. Access to the Facility is from Lake Herman Road via a paved roadway originating approximately one mile west of the Highway 680/Lake Herman Road intersection. The Facility is shown on the location Map, which is the same as Figure 1 of the Part A portion of the Approved Application (DTSC Attachment 1).

The Facility consists of three parcels, Solano County Assessor’s Parcel Numbers 181-270-02 (+/- 134.5 acres), 181-270-01 (+/- 243.59 acres), and 181-270-03 (+/- 122.3 acres). The configuration of the Facility is shown on the attached Panoche Parcel Map, which is the same as Figure 7 in the Part A portion of the Approved Application (DTSC Attachments 2).

### **4. DESCRIPTION**

The Facility occupies approximately 248 acres and at one time contained 45 surface impoundments, two landfills, four waste piles, and five drum burial areas. Wastes managed at the Facility included caustic and acidic liquids and solids, petroleum refining sludges, catalyst, hydrogen sulfide abatement sludges, oily slurries, truck-washout debris, inorganic precipitates, contaminated soils, organic sludges, shredded currency, and paint pigment sludges. Waste management practices used at the facility included biological treatment, neutralization, evaporation in ponds, and burial of waste in landfills and trenches. The Facility received between 80,000 and 220,000 tons of waste material per year from 1968 through 1986.

During closure approximately 500,000 cubic yards of subsoils and waste were solidified and consolidated into an onsite Corrective Action Management Unit (CAMU) landfill over the duration of the three year closure period. A RCRA cover system of low permeability soils and geosynthetic layers cover most of the facility. The cover system includes a passive gas collection system. A groundwater extraction and treatment system includes numerous extraction wells and a slurry wall keyed into

bedrock providing a barrier and controlling offsite groundwater migration. Groundwater is pumped into the evaporation basins and tanks for treatment. Surface water ditches convey and divert water away from the closed landfill.

Drum Burial Area V (DBA V) is located in the northwest portion of the IT Panoche Facility (DTSC Attachment 3). Prior to Facility closure, IT installed an interim groundwater extraction system downgradient of this area and over 4,000 drums and containers, along with 32,000 cubic yards of soil, were removed from DBA V trenches and placed in the Area 5 Landfill. At the conclusion of the excavation effort, DBA V and the Area 5 Landfill were covered with permanent covers as part of overall Facility closure construction. IT conducted a number of technical studies to characterize DBA V and the surrounding areas, and to identify and evaluate additional measures necessary to more fully remediate the area. A Remedy Decision (RD) was issued in June of 2001 that evaluated and selected additional elements of a final remedial approach. The RD includes the following tasks:

- ◆ Enhancements to the groundwater control system at the IT property boundary west of DBA V,
- ◆ Installation of a deep groundwater recovery trench west of DBA V (referred to as the Source Area Containment System or SACS) to contain the inferred plume of dense non-aqueous phase liquids and removed impacted groundwater,
- ◆ Installation of a Soil Vapor Extraction (SVE) system to remove volatile organic compounds (VOC) from the subsurface soil,
- ◆ Construction of a treatment plant to remove VOCs from groundwater and the air removed by the SVE system.

Permittee will complete these tasks as described in the Special Conditions Section.

Final closure plans are memorialized in the *Closure and Postclosure Plans, Revision 2.2* (IT, 1996). The CAMU landfill and liquids CAMU units were authorized by DTSC (DTSC, 1997). As-built drawings, as well as reports detailing closure construction, solidification, and testing are included in the *Closure Certification Report, IT Panoche Facility, Volumes 1 through 5* (IT, 2001).

## 5. FACILITY SIZE AND TYPE FOR FEES

The Facility is categorized as a large postclosure Facility for purposes of HSC, section 25205.19. For the purpose of HSC, section 25205.4, the postclosure period for the Facility shall be deemed to have started January 1, 2001, which is the date the IT Corporation transmitted to DTSC the *Closure Certification Report, IT Panoche Facility, Volumes 1 through 5*. Closure certification was accepted by DTSC on March 27, 2003.

### **PART III. GENERAL CONDITIONS**

#### **1. PERMIT APPLICATION DOCUMENTS**

The RCRA Subtitle C Site Identification Form, Revised RCRA Hazardous Waste Part A Permit Application, signed February 25, 2003 by Mr. Harry Soose, Chief Operating Officer and Chief Financial Officer for IT Lake Herman, LLC, Postclosure Permit Application, dated February 25, 2003 (Part B Permit Application), consisting of two volumes, are hereby approved and made a part of this Permit by reference (hereafter “Approved Application”). Included in the Approved Application are the IT Panoche Postclosure Plans.

#### **2. EFFECT OF PERMIT**

- (a) The Permittee shall comply with the provisions of the California Health and Safety Code, and Division 4.5 of Title 22, California Code of Regulations (Title 22, Cal. Code Regs.). The issuance of this Permit by DTSC does not release the Permittee from any liability or duty imposed by federal or state statutes or regulations or local ordinances, except the obligation to obtain this Permit. The Permittee shall obtain the permits required by other governmental agencies, including but not limited to, the applicable land use planning, zoning, hazardous waste, air quality, water quality, and solid waste management laws for the construction and/or operation of the postclosure facility.
- (b) The Permittee is permitted to monitor and maintain the postclosure Facility in accordance with the conditions of this Permit and the Approved Application. Any treatment or storage of hazardous wastes not specifically authorized in this Permit or described in the Approved Application is strictly prohibited.
- (c) Compliance with the terms of this Permit does not constitute a defense to any action brought under any other law governing protection of public health or the environment, including, but not limited to, one brought for any imminent and substantial endangerment to human health or the environment.
- (d) DTSC's issuance of this Permit does not prevent DTSC from adopting or amending regulations that impose additional or more stringent requirements than those in existence at the time this Permit is issued and does not prevent the enforcement of these requirements against the Permittee. Failure to comply with any term or condition set forth in this Permit in the time or manner specified herein will subject the Permittee to possible enforcement action including but not limited to penalties pursuant to HSC section 25187.
- (f) In addition, failure to submit any information required in connection with this Permit, or falsification and/or misrepresentation of any submitted information, is grounds for revocation of this Permit (Title 22, Cal. Code of Regs., section 66270.43).
- (g) In case of conflicts between the Approved Application and this Permit, the Permit conditions take precedence.

(h) This Permit includes and incorporates by reference any conditions of waste discharge requirements issued to the Facility by the State Water Resources Control Board or the California Regional Water Quality Control Board, San Francisco Bay Region, and any conditions imposed pursuant to section 13227 of the Water Code.

### 3. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

A Notice of Exemption has been prepared in accordance with the requirements of Public Resources Code section 21000 et seq. and the California Environmental Quality Act Guidelines, which are codified in Title 14, Cal. Code of Regs., section 15070 et seq.

### 4. ENVIRONMENTAL MONITORING

- (a) For the purpose of Title 22, Cal. Code of Regs., section 66264.91(b), the elements of the Groundwater Monitoring and Response Program for the IT Panoche Facility are those described in the approved Sampling and Analysis Plan (SAP), which is contained in the Approved Application.
- (b) For the purpose of Title 22, Cal. Code of Regs., section 66264.92, the Water Quality Protection Standard for the IT Panoche Facility is described in Section 2 of the approved SAP.
- (c) For the purpose of Title 22, Cal. Code of Regs., section 66264.93, the Constituents of Concern for the IT Panoche Facility are described in Section 2.2 of the approved SAP.
- (d) For the purpose of Title 22, Cal. Code of Regs., section 66264.94, the Concentration Limits for the IT Panoche Facility are described in Section 2 of the approved SAP.
- (e) For the purpose of Title 22, Cal. Code of Regs., section 66264.95, the Monitoring Points and Points of Compliance for each regulated unit at the IT Panoche Facility are described in Section 2.1 of the approved SAP.
- (f) For the purpose of Title 22, Cal. Code of Regs., section 66264.96 the Compliance Period for each regulated unit at the IT Panoche Facility is described in Section 2.5 of the approved SAP.
- (g) For the purpose of Title 22, Cal. Code of Regs., section 66270.31, the monitoring, recording, and reporting program for the IT Panoche Facility is described in Section 2.5 of the approved SAP.

## 5. WASTE MINIMIZATION CERTIFICATION

Pursuant to HSC, section 25202.9, the Permittee shall certify annually, by March 1 for the previous year ending December 31, that:

- (a) The Facility has a program in place to reduce the volume and toxicity of all hazardous wastes that are generated by the Facility operations to the degree, determined by the Permittee, to be economically practicable.
- (b) The method of storage or treatment is the only practicable method or combination of methods currently available to the Facility which minimizes the present and future threat to human health and the environment.

The Permittee shall make this certification, in accordance with Title 22, Cal. Code of Regs., section 66270.11. The Permittee shall submit the certification to the Department of Toxic Substances Control, Land Disposal Branch, 8800 Cal Center Drive, Sacramento, California 95826 and shall record and maintain onsite such certification in the Facility Operating Record.

## 6. WASTE MINIMIZATION CONDITIONS

- (a) The Permittee shall comply with the Hazardous Waste Source Reduction and Management Review Act (SB 14) requirements that are specified in HSC, sections 25244.19, 25244.20 and 25244.21, and any subsequent applicable statutes or regulations promulgated thereunder. This would include submittal of SB 14 documents to DTSC upon request.
- (b) DTSC may require the Permittee to submit a more detailed status report explaining any deviation from, or changes to, the approved waste minimization plan.

## 7. CONDITIONS APPLICABLE TO ALL PERMITS

Title 22, Cal. Code of Regs., section 66270.30, Conditions Applicable to All Permits, is incorporated by this reference.



## 8. MODIFICATIONS

(a) The Permittee must request and obtain a permit modification to revise any portion of this Permit. To request such a revision, the Permittee must comply with the procedures for permit modifications set forth in Title 22, Cal. Code Regs., section 66270.42.

(b) If at any time DTSC determines that modification of any part of this Permit is necessary, DTSC may initiate a modification in accordance with the procedures in Title 22, Cal. Code Regs., section 66270.41.

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#### **PART IV. PERMITTED UNITS AND ACTIVITIES**

For the purpose of Title 22, Cal. Code of Regs., section 66270.1(c) and other similar, unit specific regulatory requirements, the IT Panoche Facility has three Hazardous Waste Management Units. These units are described in detail in the Approved Application and/or in the Closure Certification Report, IT Panoche Facility, February 2001, Volumes 1 through 5, and are as follows:

1. The IT Panoche Hazardous Waste Management Unit, defined as CAMU A, including all surface and subsurface features such as the slurry wall, the consolidation landfill cover system, the surface water collection and diversion system, the gas collection and treatment systems (including the passive gas system and the active DBA V system), and the final site topography, excepting the Liquids Management System CAMU and CAMU B;
2. The postclosure solids CAMU B, located within the CAMU A, including all surface and subsurface features such as the consolidation landfill cover, the surface drainage system, and the final site topography, excepting features associated with the Liquids Management System CAMU A. CAMU B is designed and will be operated to provide an onsite location for disposal of site-generated wastes throughout the postclosure period; and
3. The Liquids Management System CAMU for IT Panoche Hazardous Waste Management Units, consisting of the groundwater collection/interceptor trenches and extraction wells, all below ground collection pipes, sumps, pumps and riser pipes, above ground pumping systems, the water treatment plant, thin film solar evaporators, and the evaporation basins.

## **PART V. SPECIAL CONDITIONS**

1. Appendix E of the Approved Application contains an enhanced monitoring program for the OPQ area (Goodyear Slough Northern Subdrainage) of the Facility. This area has an identified release into groundwater that is currently being evaluated. In addition to the requirements in Appendix E, Permittee shall:
  - a. Conduct additional groundwater monitoring as described in the March 21, 2003, IT Letter titled *Implementation of Additional Monitoring in Groundwater of the Goodyear Slough*,
  - b. On March 1, 2004, Permittee shall submit an Evaluation Report that will summarize the data collected from the enhanced monitoring program and make recommendations for corrective action for review and approval by DTSC. The Evaluation Report is described in more detail in the IT letter report dated February 13, 2003.
  - c. Permittee shall implement the corrective action, if any, as recommended in the approved Evaluation Report according to the approved schedule in the Evaluation Report.
2. In order to improve the effectiveness of the Slurry Wall Groundwater Recovery System, Permittee shall complete the following:
  - a. The Final Design Configuration Report as described in the *Workplan to Enhance the Slurry Wall Groundwater Recovery System*, dated May 23, 2002, as modified by the July 19, 2002 DTSC approval, within thirty days of the effective date of this permit.
  - b. Implementation of the approved Final Design Configuration Report, within sixty days of DTSC approval.
  - c. Submittal of the Year One Slurry Wall Enhancement Effectiveness Report as described in the Final Design Configuration Report, one calendar year following commencements of pumping from the new extraction wells,
  - d. Further action as identified in the Year One Slurry Wall Enhancement Effectiveness Report.
3. Permittee shall complete and submit a Disclosure Statement as required under California Health and Safety Code, sections 25112.5, 25200.4 and, 25358.3, within 30 days following completion of the IT Corporation reorganization, chapter 11, Case No. 02-10118, in the United States Bankruptcy Court For the District of Delaware .
4. The Permittee must comply with all Consent Agreements, including any future Consent Agreements, entered into between Permittee and DTSC. The terms of any Consent Agreement shall be a condition of this Permit upon signature of the Consent Agreement.

## **PART VI. CORRECTIVE ACTION**

### **1. DRUM BURIAL AREA V – ONGOING CORRECTIVE ACTION**

Permittee shall implement the corrective measures described in the DTSC Remedy Decision and Response to Comments, dated June 28, 2001. The specific measures that shall be implemented include:

- a. Task 1 Supplemental Corrective Measures Design and Implementation Reports for the Source Area Control System.

This Report shall include design modification details and a description of how the Source Area Control System (SACS) trench will be constructed to meet all the performance criteria described in the June 2001 Remedy Decision. The Report shall address the construction problems encountered during the trench construction effort in the fall of 2002 and include an updated schedule. The report must be received by the DTSC within 90 days of the effective date of any Consent Agreement as described in Special Condition 4 of this Permit.

- b. Task 2 Final Groundwater and Vapor Treatment System Design and Implementation Report.

This Report shall include design details and a description of how the design will meet all the performance criteria described in the June 2001 Remedy Decision. The Report shall include an updated sampling and analysis plan if needed, a schedule, final design and specifications, preliminary operations and maintenance plan, a health and safety plan, and a construction workplan. The report must be received by DTSC as described in the approved schedule in Task 1.

- c. Task 3 Implementation of Corrective Measures.

Permittee shall construct the corrective actions described in Tasks 1 and 2 and in the June 2001 Remedy Decision as described in the approved schedule in Task 1. These activities shall include: SACS trench, installation of pumping systems, soil vapor extraction system, and air and water treatment systems. The report must be received by DTSC as described in the approved schedule in Task 1.

- d. Task 4 Construction Completion Report.

This Report shall document how the completed project is consistent with the final plans and specifications including any refinements or additions to the operations and maintenance plans. The report must be received by DTSC within 90 days after construction is complete.

- e. Task 5 Quarterly and Annual Corrective Measures Implementation.

For the first year Permittee will submit Quarterly Reports containing data from the groundwater monitoring program, Enhanced Property Line Interception System, the SACS Trench and treatment system, and the SVE and treatment system. The first quarter shall commence upon the effective date of this Permit. The quarterly and annual reports shall be received by DTSC within 60 days of each quarter or annual period. The data and analysis required in these reports shall be described in the updated Sampling and Analysis Plan. DTSC may require that the Permittee submit a second year of

quarterly reports if the findings of these quarterly reports indicate that there is sufficient uncertainty in the newly constructed systems. The Annual Corrective Action Implementation Report shall be submitted annually and shall include the data and analysis as described in the updated Sampling and Analysis Plan. Upon completion and approval of Task 6 (Year One Certification Report), future reporting for DBA V shall be combined in the Facility-wide annual Groundwater Reports as required by this Permit.

f. Task 6 Year one Certification Report.

Permittee shall submit a Year One Certification Report which summarizes all data collected at DBA V and shall determine if the corrective action remedy is meeting the performance standards set in the June 2001 Remedy Decision document. The report shall be received by DTSC within one year after full scale operations commence.

## 2. POTENTIAL OR IMMEDIATE THREATS/NEWLY IDENTIFIED RELEASES/ NEWLY IDENTIFIED SWMUs

(a) In the event the Permittee identifies an immediate or potential threat to human health and/or the environment, discovers new releases of hazardous waste and/or hazardous constituents, or discovers new Solid Waste Management Units (SWMUs) not previously identified, the Permittee shall notify DTSC orally within 24 hours of discovery and notify DTSC in writing within ten (10) days of such discovery summarizing the findings including the immediacy and magnitude of any potential threat to human health and/or the environment. Newly identified hazardous constituents discovered during routine groundwater sampling shall be reported in accordance the reporting provisions of the approved SAP.

(b) DTSC may require the Permittee to investigate, mitigate and/or take other applicable action to address any immediate or potential threats to human health and/or the environment, SWMUs, or newly identified releases of hazardous waste and/or hazardous constituents. Corrective action shall be carried out under either a Corrective Action Consent Agreement or Unilateral Corrective Action Order pursuant to HSC, section 25187.

## 3. SAMPLING AND ACCESS

(a) Sampling

(1) The Permittee shall provide confirmatory samples to DTSC within the time requested by DTSC to determine if there is a threat to human health and/or the environment. The sampling shall be done in accordance with guidance that DTSC supplies to the Permittee.

(2) The Permittee shall notify DTSC in writing at least fourteen (14) days prior to beginning any confirmatory sampling requested by DTSC. If the Permittee believes it must commence emergency

confirmatory sampling without delay, the Permittee may seek emergency telephone authorization from DTSC's Land Disposal Branch Chief or, if unavailable, his/her designee to commence such activities immediately. At the request of DTSC, the Permittee shall provide or allow DTSC or its authorized representative to take split or duplicate samples of all samples collected by the Permittee pursuant to this Part of this Permit.

(3) The Permittee shall submit to DTSC upon request the results of all sampling and/or tests or other data generated by its employees, divisions, agents, consultants or contractors pursuant to this Permit.

(4) Notwithstanding any other provisions of this Permit, DTSC retains all information gathering and inspection authority rights including enforcement actions related thereto, under HSC and any other applicable state or federal statutes or regulations.

(b) Access

(1) DTSC, its contractors, employees, agents, and/or any U.S. EPA representatives are authorized to enter and freely move about the Facility pursuant to the entire Permit for the purposes of: interviewing Facility personnel and contractors; inspecting records, operating logs, and contracts relating to the Facility; reviewing progress of the Permittee in carrying out the terms of this Permit; conducting such test, sampling, or monitoring as DTSC deems necessary; using a camera, sound recording, or other documentary-type equipment; verifying the reports and data submitted to DTSC by the Permittee; or confirming any other aspect of compliance with this Permit and Division 20, Chapter 6.5 of the H&SC. The Permittee shall provide DTSC and its representatives access at all reasonable times to the Permittee's Facility and any other property to which access is required for implementation of any provision of this Permit and any provision of Division 20, Chapter 6.5 of the H&SC and shall allow such persons to inspect and copy all records, files, photographs, documents, including all sampling and monitoring data, that pertain to work undertaken pursuant to this Permit or undertake any other activity necessary to determine compliance with applicable requirements. DTSC acknowledges that the IT Panoche Facility is not manned 24-hours a day. DTSC will provide reasonable notice when requiring access to the site.

(2) To the extent that work being performed pursuant to this Part of this Permit must be done on property not owned or controlled by the Permittee, the Permittee shall use its best efforts to obtain access agreements necessary to complete work required by this Part from the present owner(s) or operator of such property within ninety (90) days of approval of any workplan for which access is required. "Best efforts" as used in this paragraph shall include, at a minimum, a certified letter from the Permittee to the present owner(s) of such property requesting access agreement(s) to allow the Permittee and DTSC and its authorized representatives access to such property and the payment of reasonable sums of money in consideration of granting access. The Permittee shall provide DTSC with a copy of any access agreement(s). In the event that agreements for the access are not obtained within ninety (90) days of approval of any workplan for which access is required, or of the date that the need for access becomes known to the Permittee, the Permittee shall notify DTSC in writing within fourteen (14) days thereafter regarding both efforts undertaken to obtain access and its failure to obtain

such agreements. In the event DTSC obtains access, the Permittee shall undertake approved work on such property.

(3) Nothing in this Permit shall be construed to limit or otherwise affect the Permittee's liability and obligation to perform corrective action including corrective action beyond the Facility boundary, notwithstanding the lack of access. DTSC may determine that additional on-site measures must be taken to address releases beyond the Facility boundary if access to off-site areas cannot be obtained.

(4) Nothing in this Permit shall limit or otherwise affect DTSC's right to access and entry pursuant to any applicable state or federal laws and regulations

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